

Montana State Legislature

2013 Session

ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLOWING:

- **Business Report**
- **Roll Call – Attendance**
- **Standing Committee Reports**
- **Tabled Bills**
- **Fiscal Reports etc.**
- **Roll Call Votes**
- **Informational Items**
- **Witness Statements**
- **Any Documents; such as;**
 - * **Petitions if any.**
 - * **Any and all material handed end after the meeting ends.**

**The original is on file at the
Montana Historical Society
and may be viewed there.**

**Montana Historical Society
Archives
225 N. Roberts
Helena MT 59620-1201
2013 Legislative Scanner Susie Hamilton**

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
63rd LEGISLATURE - REGULAR SESSION**

HOUSE FISH, WILDLIFE AND PARKS COMMITTEE

Date: Thursday, March 21, 2013
Place: Capitol

Time: 3:00 PM
Room: 152

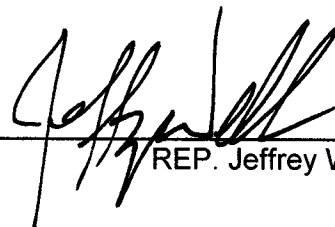
BILLS and RESOLUTIONS HEARD:

HB 588 - Revise laws related to hunting and flying time laws
HB 609 - Interim study of hunting and fishing licensing
SB 344 - Public scoping process for FWP land acquisitions

EXECUTIVE ACTION TAKEN:

HB 588
HB 609
SB 344
SB 197

Comments:



REP. Jeffrey W. Welborn, Chair

HOUSE OF REPRESENTATIVES
Roll Call
FISH, WILDLIFE, AND PARKS COMMITTEE

DATE: 3/21/2013

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
REP. DOUG KARY, VICE CHAIR	X	
REP. FRANKE WILMER, VICE CHAIR	X	
REP. GORDON VANCE		X
REP. CARLIE BOLAND	X	
REP. PAT CONNELL	X	
REP. JP POMNICHOWSKI	X	
REP. EDWARD GREEF	X	
REP. VIRGINIA COURT	X	
REP. KERRY WHITE	X	
REP. BRIDGET SMITH	X	
REP. WENDY WARBURTON	X	
REP. ALAN DOANE	X	
REP. ED LIESER	X	
REP. KELLY FLYNN	X	
REP. TOM JACOBSON	X	
REP. BRIAN HOVEN	X	
REP. JEAN PRICE	X	
REP. KIRK WAGONER	X	
REP. RAY SHAW		X
REP. TED WASHBURN	X	
REP. JEFFERY WELBORN, CHAIR	X	



HOUSE STANDING COMMITTEE REPORT

March 21, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Fish, Wildlife and Parks** recommend that **House Bill 588** (first reading copy -- white) **do pass**.

Signed: _____

Representative Jeffrey W. Welborn, Chair

- END -

Committee Vote:

Yes 18, No 3

Fiscal Note Required ☐

HB0588001SC.hjk

DC 10:10
322



HOUSE STANDING COMMITTEE REPORT

March 21, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Fish, Wildlife and Parks** recommend that **House Bill 609** (first reading copy -- white) **do pass**.

Signed: _____

Representative Jeffrey W. Welborn, Chair

- END -

Committee Vote:

Yes 21, No 0

Fiscal Note Required ☐

HB0609001SC.hjk

DC 10:10
3-77



HOUSE STANDING COMMITTEE REPORT

March 21, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Fish, Wildlife and Parks** recommend that **Senate Bill 344** (third reading copy -- blue) **be concurred in.**

Signed: _____

Representative Jeffrey W. Welborn, Chair

To be carried by Representative Jeffrey Welborn

- END -

Committee Vote:

Yes 21, No 0

Fiscal Note Required ☐

SB0344002SC13700.hjk

TR 10:10
3-22



HOUSE STANDING COMMITTEE REPORT

March 21, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Fish, Wildlife and Parks** recommend that **Senate Bill 197** (third reading copy -- blue) **be concurred in.**

Signed: _____

Representative Jeffrey W. Welborn, Chair

To be carried by Representative Jeffrey Welborn

- END -

Committee Vote:

Yes 11, No 10

Fiscal Note Required ☐

SB0197001SC13700.hjk

DC 10:10
3-22

HOUSE OF REPRESENTATIVES
Roll Call Vote
FISH, WILDLIFE, AND PARKS COMMITTEE

DATE: 3/21/2013 BILL NO HB 588 MOTION NO. _____
MOTION: HB 588 DO PASS

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DOUG KARY, VICE CHAIR	X		
REP. FRANKE WILMER, VICE CHAIR	X		
REP. CARLIE BOLAND	X		
REP. PAT CONNELL	X		
REP. JEAN PRICE	X		
REP. EDWARD GREEF	X		
REP. VIRGINIA COURT	X		
REP. KERRY WHITE	X		
REP. BRIDGET SMITH	X		
REP. WENDY WARBURTON		X	
REP. KELLY FLYNN	X		
REP. ALAN DOANE	X		
REP. ED LIESER		X	
REP. TOM JACOBSON	X		
REP. BRIAN HOVEN	X		
REP. JP POMNICHOWSKI	X		
REP. KIRK WAGONER	X		
REP. RAY SHAW	X		
REP. TED WASHBURN	X		
REP. GORDON VANCE	X		X
REP. JEFFERY WELBORN, CHAIR		X	

HOUSE OF REPRESENTATIVES
Roll Call Vote
FISH, WILDLIFE, AND PARKS COMMITTEE

DATE: 3/21/2013 BILL NO. SB 197 MOTION NO. _____
 MOTION: SB 197 be amended.

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DOUG KARY, VICE CHAIR	X		
REP. FRANKE WILMER, VICE CHAIR	X		
REP. CARLIE BOLAND		X	
REP. PAT CONNELL	X		
REP. JEAN PRICE		X	
REP. EDWARD GREEF		X	
REP. VIRGINIA COURT		X	
REP. KERRY WHITE	X		
REP. BRIDGET SMITH		X	
REP. WENDY WARBURTON	X		
REP. KELLY FLYNN		X	
REP. ALAN DOANE		X	
REP. ED LIESER		X	
REP. TOM JACOBSON		X	
REP. BRIAN HOVEN		X	
REP. JP POMNICHOWSKI		X	
REP. KIRK WAGONER		X	
REP. RAY SHAW		X	
REP. TED WASHBURN	X		
REP. GORDON VANCE	X		X
REP. JEFFERY WELBORN, CHAIR		X	

HOUSE OF REPRESENTATIVES
Roll Call Vote
FISH, WILDLIFE, AND PARKS COMMITTEE

DATE: 3/21/2013 BILL NO SB 197 MOTION NO. _____
 MOTION: SB 197 do pass

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DOUG KARY, VICE CHAIR	X		
REP. FRANKE WILMER, VICE CHAIR	X		
REP. CARLIE BOLAND		X	
REP. PAT CONNELL		X	
REP. JEAN PRICE		X	
REP. EDWARD GREEF	X		
REP. VIRGINIA COURT		X	
REP. KERRY WHITE	X		
REP. BRIDGET SMITH		X	
REP. WENDY WARBURTON	X		
REP. KELLY FLYNN		X	
REP. ALAN DOANE	X		
REP. ED LIESER		X	
REP. TOM JACOBSON		X	
REP. BRIAN HOVEN	X		
REP. JP POMNICHOWSKI		X	
REP. KIRK WAGONER	X		
REP. RAY SHAW		X	
REP. TED WASHBURN	X		
REP. GORDON VANCE	X		X
REP. JEFFERY WELBORN, CHAIR	X		

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the 7 W P

Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

[illegible]

Rep.

(Signature)

Date _____

3/21/13

HOUSE FISH, WILDLIFE AND PARKS COMMITTEE

Sponsor: **Sen. Chas Vincent**

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA House of Representatives Visitors Register

HB 609 - Interim study of hunting and fishing licensing

Sponsor: Rep. Pat Connell

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**MONTANA House of Representatives
Visitors Register
HOUSE FISH, WILDLIFE AND PARKS COMMITTEE**

Thursday, March 21, 2013

HB 588 - Revise laws related to hunting and flying time laws

Sponsor: Rep. Bill Harris

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

ADDITIONAL DOCUMENTS

Ron Hvizdak
3908 Sophie Lake Rd
Eureka, Mt. 59917
February 2, 2013

Montana Senate Fish and Game Committee:

As a longtime (30+years) volunteer Montana Hunter Education instructor in the Eureka area, I have some concerns with SB 197. Passage of this bill would enable youth under the age of 12 to get an apprentice license whereas they could go hunting with a mentor over the age of 18 prior to taking the Hunter Education course. The reasoning behind this bill, as far as I have been able to determine, is to encourage more youth to get interested in hunting and remove Hunter Education as a requirement prior to hunting because it is seen as a barrier. I feel this bill is flawed for a number of reasons.

The Montana Hunter Education program has been in existence since 1957. It has helped reduce the number of firearms accidents significantly, primarily among young people. For most of its existence it required anyone between the ages of 12 and 18 to be certified through the program before being issued a hunting license. It has always had a mentoring program in that it required anyone under the age of 14 to hunt with a parent or legal guardian when hunting. Several years ago the Montana legislature passed a law requiring all hunters born after January 1, 1985 to be certified before hunting. This was done because of safety problems that occurred from folks (including adults) who have never had any formal gun training. The goal was that at some point in the future, all people who enter the field to hunt in the State of Montana will have been certified in Hunter Education. SB 197 would be a step backwards in the safety of Montana hunters. There are already enough gun safety related issues in the media recently. We don't need to add to it.

I'm not a behavioral scientist, but whoever came up with the age of 12 being the cutoff for becoming eligible to hunt seemed to hit the nail on the head. In all my years of teaching in the program, it is apparent that the maturity level of 12 year old students versus 11 year olds (who can take the course and get certified even though they could not hunt til they turned 12) is significant. Those students under the age of 12 have not matured and often cannot even handle guns very easily due to their smaller stature. Are there young people under the age of 12 who can hunt and do it safely and properly? Absolutely. Can all students under the age of 12 hunt and do it safely and properly? Absolutely not. I'm sure that if you asked any parent, however, if their son or daughter was up to the task of hunting without training at the ages of 8, 9, or 10, almost all of them would say yes. I would argue whether that were the case and I'm sure many grade school teachers would agree with me with fewer and fewer parents taking responsibility for their child's education. SB 197 falsely assumes that anyone over the age of 18 who has passed the Hunter Education class would serve as a good mentor for someone who has not. It is absolutely scary to me having the thought of some person 18 years of age taking a young person (no minimum age) who has had no formalized training in gun safety into the fields of Montana.

ADDITIONAL
DOCUMENTS

We don't fail very many students in our Hunter Education classes as most of them are focused and eager to learn what we teach them. Usually those that fail are often the ones who are immature and have significant difficulty controlling the direction of the guns muzzle. The Hunter Education program has never been an obstacle for recruitment of hunters in Montana. It has been a springboard to safer hunters throughout the state.

However, if SB 197 passes this legislature, it would be sending a message to all the many volunteer Hunter Education instructors in Montana that what they do is a barrier to participation in the sport of hunting in Montana. I think many instructors would then be asking themselves "If what I am doing is barrier to young people hunting, then why do I do it?" I'll tell you why the many volunteer continue to provide many hours of their time teaching this class. It's because they all want to see Montana's hunting heritage continue in the safest manner possible. They want to ensure that everyone who enters the field to hunt in Montana does it safely and ethically. Any person, whether they are 6 or 60 years old, should have firearms training before entering the field to hunt, whether they have a mentor or not.

I understand that Families Afield is a big supporter behind legislation such as SB197. If you look at their website, the first core value statement on their home page states "Safety First, Always". Passage of SB197 would contradict their own core value. Any guns rights or hunting organization member will tell you that the safest person with a firearm is one who has been properly trained. Please do not send our youth into the field without having first taken and passed the Montana Hunter Education program. Please do not pass SB 197.

Sincerely,

Ron Hvizdak
hviz@interbel.net
Ph: 406-889-3791

ADDITIONAL DOCUMENTS

Montana House Fish, Wildlife and Parks Committee:

SB197 disregards safety in a number of ways. Hunter Education is perceived as a barrier to hunting according to proponents. This is far from the truth. While a minimum age requirement may be a barrier, Hunter Education has never been a barrier. We have always had people under the age of 11 take the course, but could not be certified due to age. Hunter Education is not a barrier. To claim that it is a barrier is an insult to all the volunteer Hunter Education instructors throughout the state working to keep Montana safe. Hunter Education is a foundation block to become a safe and ethical hunter for the future. The safety of all hunters and the future of hunting depend on well trained hunters.

The mentor program under SB197 has other flaws as well. It only requires that a mentor be at least 21 years of age, completed a Hunter Education course, have a current Montana hunting license, and agree to accompany and supervise the apprentice hunter. How many apprentices can a mentor take out with them? Under SB197, they could take out any number of apprentices. This is not safe as a hunting mentor should not focus on more than one person. Can the mentor also carry a firearm and hunt as well? If so, would they truly be concentrating on what the apprentice is doing? Under SB197, we could have two (or more) people out carrying guns with only one that has been formally trained. How much experience does the mentor need? Would one year of hunting be enough? Under SB197 there is no minimum. SB197 falsely assumes that anyone can be a mentor to a very young person who has never had any formal training in the use of firearms. This is unsafe not only for the apprentice and mentor, but other hunters as well.

What SB197 is trying to do is admirable, hoping to encourage youth to participate in hunting. But the end should not justify the means. We should not sacrifice safety just to get more people to become hunters. Anyone who hunts in the State of Montana should have some basic hunter education training prior to hunting, regardless of age. If you feel it is important to lower the minimum age to encourage more youth to hunt, do so. But please, require that all young people take and pass a Hunter Education course prior to going hunting. It has been an effective part of the hunting tradition in Montana for over 50 years, reducing hunting fatalities from 8-10/year in the 1950's to around 1/year today. Requiring Hunter Education would continue to provide the safest hunting conditions that all hunters across Montana expect.

Sincerely,
Ron Hvizdak
Lead Hunter Ed Instructor, Eureka Area

INVESTIGATION
OVERSIGHT



MEMORANDUM

Date: March 19, 2013
To: Members of the House Fish, Wildlife, and Parks Committee
From: U.S. Sportsman's Alliance
Subject: Explanation of safety statistic

During the hearing for SB 197, "an act creating an apprentice hunting certificate for certain persons who have not completed a hunter safety and education course; establishing qualifying criteria and conditions of use;" etc., a member of the committee asked about the 9 hunting incidents involving apprentice hunters. Specifically, the information requested was in how many of the 9 total incidents involving apprentice hunters was the apprentice hunter the shooter.

After checking the research gathered, the answer is that in 8 of the 9 shooting incidents, the apprentice was the shooter. This number is of the 782,000 apprentice licenses sold since 2005. This translates to 10 incidents per 1 million apprentice licenses sold, compared to 50 shooting incidents per 1 million regular hunting licenses sold.

1A1011111111
211111111111